

There being no further business, Councilman Alford moved to recess subject to call of the Mayor. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, 3; nays, none; Councilmen Bartholomew and Wolf absent, 2.

The Council then recessed.

Attest:

Hellie McMiller  
City Clerk

Approved:

Tom Miller  
Mayor

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, December 13, 1934.

The meeting was called to order with Mayor Pro tem Oswald G. Wolf presiding. Roll call showed the following members present: Councilmen C. F. Alford, C. M. Bartholomew, Simon Gillis, and Mayor Pro tem Oswald G. Wolf, 4; absent, Mayor Tom Miller, 1.

The Minutes of the last regular meeting were read and upon motion of Councilman Gillis were adopted as read by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, and Mayor Pro tem Wolf, 4; nays, none; Mayor Tom Miller absent, 1.

Councilman Gillis offered the following resolution:

WHEREAS, The Southwestern Bell Telephone Company has presented to the City Council tentative maps and plans showing the proposed construction of its pole lines in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Engineer; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the Southwestern Bell Telephone Company be and the same is hereby permitted to construct its pole lines in the following streets:

(1) One telephone pole in SABINE STREET between East 11th Street and East 10th Street, the center of which telephone pole shall be 15 feet west of the east line of Sabine Street;

(2) A telephone pole line in EAST TWENTY-THIRD STREET from Oldham Street west one-half block, the centerline of which pole line shall be 8 feet north of and parallel to the south line of said East 23rd Street.

THAT the work and construction of said pole lines, including the excavation of the streets and the restoration and maintenance of said streets after said pole lines have been constructed, shall be under the supervision and direction of the City Manager, and in accordance with the ordinances and regulations of the City of Austin governing such construction.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Pro tem Wolf, 4; nays, none; Mayor Tom Miller absent, 1.

Councilman Alford offered the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A 4" gas main in EAST FORTY-THIRD STREET, beginning at a point 24 feet south of and 13 feet east of the intersection of the north line of East 43rd Street and the east line of Barrow Avenue;

Thence in an easterly direction with the centerline of said 4" gas main, which centerline shall be 24 feet south of and parallel to the north line of said East 43rd Street, for a distance of 100 feet.

Said gas main described above shall have a cover of not less than 2½ feet.

(2) A gas main in SABINE STREET, beginning at a point 32 feet east of and 10 feet north of the intersection of the west line of Sabine Street and the centerline of East 21st street;

Thence in a southerly direction with the centerline of said gas main, which centerline shall be 32 feet east of and parallel to the west line of said Sabine Street for a distance of 45 feet.

Said gas main described above shall have a cover of not less than 2½ feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Pro tem Wolf, 4; nays, none; Mayor Miller absent, 1.

Councilman Gillis offered the following resolution:

WHEREAS, On December 12th, after having been duly advertised, bids were opened for the paving of East Fourth Street between Red River and Sabine Streets and the result of the tabulation showed that J. M. Odom bid \$7,057.25 and C. A. Maufrais bid \$5,359.16; and

WHEREAS, The City Manager has recommended that the contract for said construction be awarded to C. A. Maufrais for \$5,359.16 in accordance with plans and specifications prepared by the City Engineer; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Manager be instructed to enter into a contract with C. A. Maufrais and to secure assessments against the abutting property owners for their predetermined part of the cost of the work.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Pro tem Wolf, 4; nays, none; Mayor Miller absent, 1.

Councilman Alford offered the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the sum of \$1,406.60 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of paying the City's pro rata part of cost of paving East Fourth Street between Sabine and Red River Streets.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Pro tem Wolf, 4; nays, none; Mayor Miller absent, 1.

Rev. S. H. Erwin, Pastor of the Central Church of the Nazarene, submitted a petition from the Trustees of said Church asking that Lots 15 and 16, Washington Square, Outlot 72, Division "D", be exempted from taxation for the year 1934, as said property is being used exclusively for religious purposes.

Councilman Gillis moved that the foregoing property be exempted from taxation from the date of acquisition by said Church, May 16, 1934, to January 1, 1935, on the grounds that it has been used exclusively for religious purposes. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Pro tem Wolf, 4; nays, none; Mayor Miller absent, 1.

Councilman Bartholomew offered the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council, having considered the bids received on PWA Docket 2863, it is the consensus of opinion of said Council that hand labor be used on this project and that the City Manager be instructed to take this matter up with the Public Works Administration on the three low bids, which are always furnished the PWA office, with instructions that if possible the project be worked out so that it can be built with hand labor and that no definite award of contract be made until this is settled; and

BE IT FURTHER RESOLVED:

THAT hand labor be used exclusively to the extent that it furnishes employment to all of our idle local people.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Pro tem Wolf, 4; nays, none; Mayor Miller absent, 1.

The following report of the City Engineer and Building Inspector was read:

"Austin, Texas  
November 27, 1934

Mr. Guiton Morgan  
City Manager  
Austin, Texas.

Dear Sir:

We, the undersigned, have considered the application of Eugene C. Barker for permission to construct, maintain and operate a drive-in gasoline filling station, wash rack and grease lift, and to construct commercial driveways in conjunction therewith, same to be located at the southeast intersection of West 24th Street and Rio Grande Street upon property known as the West 60 feet of Lots 1 and 2, of Horst's Subdivision of Outlot 37, Division "D", of the Government Outlots of the City of Austin, Travis County, Texas, and we hereby advise that the following conditions exist:

The property upon which this filling station is to be located is designated as "C" Commercial Use District upon the Zoning maps of the City of Austin.

A storm sewer exists on the east side of Rio Grande Street at a point opposite that portion of West 23rd Street that lies west of said Rio Grande Street.

We recommend that Eugene C. Barker be granted permission to construct, maintain and operate said drive-in gasoline filling station, wash rack and grease lift, and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the following conditions:

(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the City Engineering Department for entrances and driveways, building lines to be approved by the City Building Inspector. That the applicant shall confer with the City Engineering Department as to the future grades of the sidewalks and

gutters on the adjacent streets before he starts any construction relative to the filling station.

(2) That all construction of the filling station improvements shall be in accord with the building ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accord with the Ordinance prohibiting the disposal of commercial water or oils upon the City streets.

(3) That the grades of the station shall be such that no waste oils or water or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2-H-146 and shall be conducted by a pipe connection from said sand trap to the nearest storm sewer at the expense of the applicant. Before commencement of any construction the applicant shall apply to the City Engineer for an estimate of the cost of that portion of the storm sewer which will have to be built within any City street or alley and shall deposit in escrow a sum equal to said estimate with the City Finance Director.

(4) That all filling station improvements, pumps, driveways, ramps, gutters, sidewalks and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan hereto attached, which plan bears the City Engineer's file number 2-H-406.

(5) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2-H-406 and shall be of the pre-moulded type.

(6) That before use of said station the owner shall apply to the Building Inspector for final inspection when he considers that he has complied with all the requirements of the City.

Respectfully submitted,

(Sgd) J. E. Motheral  
City Engineer.

J. C. Eekert  
Building Inspector. "

Councilman Gillis then offered the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves as a filling station site the property situated at the southeast intersection of West 24th Street and Rio Grande Street, which property is owned by Eugene C. Barker and is designated and described as the West 60 feet of Lots 1 and 2, of Horst's Subdivision of Outlot 37, in Division "D" of the Government Outlots of the City of Austin, Texas, and hereby authorizes the said Eugene C. Barker to construct, maintain and operate a drive-in gasoline filling station, wash rack and grease lift, and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the same's being constructed in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations and plans; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted subject to all necessary, reasonable, and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of proper police, traffic, and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said Eugene C. Barker has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Pro tem Wolf, 4; nays, none; Mayor Miller absent, 1.

Mayor Pro tem Wolf offered the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the sum of \$90.00 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of paying H. W. Nolen auto allowance from July, 1934, to December, 1934, inclusive.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Pro tem Wolf, 4; nays, none; Mayor Miller absent, 1.